

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE CITY OF PROVIDENCE, Individually and)
on Behalf of All Others Similarly Situated,) No. 11-CV-7132 (CM)(GWG)
)
 Plaintiff,) CLASS ACTION
)
 vs.)
)
 AEROPOSTALE, INC., THOMAS P. JOHNSON)
and MARC D. MILLER,)
)
 Defendants.)
)

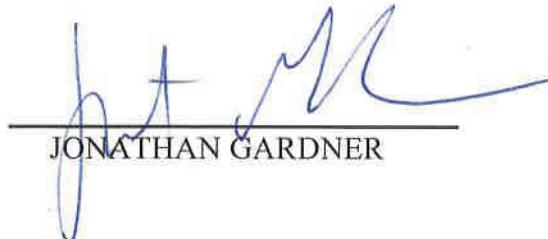
**REPLY DECLARATION OF JONATHAN GARDNER IN FURTHER
SUPPORT OF LEAD PLAINTIFF'S MOTION FOR AN APPEAL BOND**

I, JONATHAN GARDNER, declare as follows pursuant to 28 U.S.C. §1746:

1. I am a partner of the law firm of Labaton Sucharow LLP, court-appointed Lead Counsel for the City of Providence ("Lead Plaintiff") and the Class, and am admitted to practice before this Court. I respectfully submit this declaration in further support of Lead Plaintiff's motion for an appeal bond. I have personal knowledge of the matters testified to herein.

2. Annexed hereto as Exhibit 1 is a true and correct copy of the Brief of Appellant Donald Robert Pierson II filed in the United States Court of Appeals for the Second Circuit.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 22, 2014.



JONATHAN GARDNER

A handwritten signature in blue ink, appearing to read "JONATHAN GARDNER", is written over a horizontal line. The signature is fluid and cursive, with a stylized 'J' at the beginning.